11th December 1954]

SRI M. KALYANASUNDRAM :—" May I make a submission, **Sir ?** கனம் சபாநாயகர் அவர்களே ! நான் சில குறுகிய கால அவசரக் கேள்விகளைக் கொடுத்திருந்தேன். அவைகளில் பெரும்பாலானவை கல்வி மந்திரி அவர்களுடைய இலாகா சம்பந்தப்பட்டவை. அதில் ஒன்று முக்கியமானது ; அதாவது சர்க்கார் கல்லூரிகளில் உள்ள அதிகாரிகள் மாணவிகளை காங்கிரஸ் சேவைக்காக தொண்டர் படையில் சேரவேண்டுமென்று வற்புறுத்துவது பற்றிய ஒரு கேள்வி கேட்டிருந்தேன். அதைக் கொடுத்து 10 தினங்களுக்கு மேலாகிறது. சாதாரணமான கேள்விகளுக்கு 7 நாட்கள் போதுமென்று விதிகளிலே கூறப்பட்டிருக்கிறது. அப்படியிருந்தும் ஏன் இந்தக் கேள்வி இன்றும் வரவில்லை ? அதைக் கொஞ்சம் துரிதப்படுத்த முடியுமா என்பதை உங்கள் மூலமாக கேட்டுக் கொள்ளுகிறேன்."

THE HON. SRI C. SUBRAMANIAM :—" That is the whole difficulty. When it is a short-notice question, to decide whether it can be a short-notice question or not takes a week. After that, in the ordinary course, it takes another week for us to prepare the answer. Therefore, I would request hon. Members to have the ordinary course open to them unless the question is specifically important and urgent."

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

III.—ANNOUNCEMENT BY THE HON. SPEAKER.

MESSAGE FROM THE GOVERNOR.

MR. SPEAKER :—" I wish to announce to the House that I have received the following message from the Governor :—

'I have received with great satisfaction your resolution of thanks for the Address with which I opened the present session of the Legislature.' "

IV.—MODIFICATION TO THE MADRAS LAND REVENUE (SURCHARGE) RULES, 1954.

*SRI M. NARAYANA KURUP :—" Sir, I move—

'*That under sub-section* (4) *of section* 7 *of the Madras Land Revenue* (*Surcharge*) *Act*, 1954, *the following modification be made in the Madras Land Revenue* (*Surcharge*) *Rules*, 1954, *published in the* Fort St. George Gazette (*Part I—Supplement*), *dated the* 13*th October* 1954, *and laid on the table of the Assembly on the* 2*nd December* 1954 :—

AMENDMENT.

Rule 1.

" *In sub-rule* (*ii*) *of Rule* 1, for *the words and figures*, '1st *day of July* 1954 ', substitute *the words and figures*, ' 6th *day of September* 1954 '." ' "

The motion was duly seconded.

[11th December 1954

* SRI M. NARAYANA KURUP :—" Sir, the object of this amendment is, the notification is dated 6th September 1954 while sub-rule (ii) of rule 1 says that the rules shall be deemed to have come into force on the 1st day of July 1954, that is, giving retrospective effect to the rules. Sub-rule (3) of Rule 3 says :—

' Every landholder who is liable to pay as land revenue a sum exceeding rupees five hundred for a fasli in respect of all lands held by him in the State shall submit to the Collector of the district in which he resides or to the Collector of any of the districts in which he holds lands a declaration (in duplicate) in Form II within one month of the beginning of each fasli. '

12-40 p.m. " Rule 9 provides that any breach of rule 3 (2), 3 (3) or rule 4 (2) would entail a penalty. Therefore what happens is if a man did not submit his declaration within one month from the 1st of July 1954 in Form II of the Madras Land Revenue (Surcharge) Rules, 1954, that was published on 6th September 1954, he will be liable to a fine. Whatever may be the rule of law, it should come into force only on 6th September 1954, when it was notified. Otherwise how could a landlord be aware of a notification published on 6th September 1954, even on the 1st of July 1954 and submit his declaration within one month from the 1st of July 1954? "

MR. SPEAKER :—" Motion moved—

' That, under sub-section (4) of section 7 of the Madras Land Revenue (Surcharge) Act, 1954, the following modification be made in the Madras Land Revenue (Surcharge) Rules, 1954, published in the *Fort St. George Gazette* (Part I—Supplement), dated the 13th October 1954, and laid on the table of the Assembly on the 2nd December 1954 :—

AMENDMENT.

Rule 1.

" In sub-rule (ii) of rule 1, for the words and figures, ' 1st day of July 1954 ', *substitute* the words and figures, ' 6th day of September 1954 '." '

" I want to know what the Hon. Minister wants to say."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" If the hon. Member's argument is pushed to its logical conclusion, even his own amendment will not avail him because he wants that the enforcement should be from 6th September 1954 whereas the rule was published in the *Fort St. George Gazette* on 13th October 1954. These rules were framed under the Land Revenue (Surcharge) Act, 1954. The surcharge is proposed to be levied from that fasli. In order to collect the surcharge from that fasli, the rules will have to come into force from 1st July 1954. Therefore it should be conceded that the rules must have force from 1st July 1954 to implement the provisions of the Act. If the rules were to come into force from 1st July 1954, the same would entail punishment on the man who does not submit the return within one month from 1st July 1954. I may state and assure the hon. Member that it is not proposed to give effect to that part of the rules during the current fasli. We are not going to enforce that the return should be made within that time."

11th December 1954]

MR. SPEAKER :—" Is the Hon. Minister opposing or accepting the amendment of Sri M. Narayana Kurup? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" I am opposing it, Sir."

* SRI M. NARAYANA KURUP :—" I plead ignorance for not being conversant with the date of notification by the Government. Because I said 6th September 1954 I thought that it was the day of publication. But the date of publication is 13th October 1954. Therefore in my amendment the date ought to have been 13th October 1954 instead of the 6th day of September 1954.

" Now the Hon. Minister says that Government are not going to enforce that provision this time. Of course I respect the assurance given by the Hon. Minister. But that assurance is not enough. If the Government were to issue another notification stating that for the current fasli, this rule will not be applied, I shall be content and then I will withdraw my amendment."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" I will look into that aspect also."

The amendment of Sri M. Narayana Kurup was, by leave, withdrawn.

V.—GOVERNMENT MOTION.

MADRAS ASSEMBLY RULES AS APPROVED BY THE RULES COMMITTEE —*cont.*

THE HON. SRI C. SUBRAMANIAM :—" Let us take up the rules that have been left over day before yesterday, viz., 56 and 57 and then we will proceed with the consideration of rules from rule 70 onwards.

" While speaking on his amendment to rules 56 and 57, Sri M. Narayana Kurup made a statement that he had a serious grievance in that an amendment which he had moved in the Select Committee and had been accepted by the Select Committee had not been incorporated in the rules and that it has been mutilated and restricted and that he did not know the reason why it had been done like that."

* SRI M. NARAYANA KURUP :—" I did not move any amendment in the Select Committee. I meant the amendment that was proposed to be made in the rules as rule 40-A which was circulated to members of the Select Committee and accepted by the Select Committee."

THE HON. SRI C. SUBRAMANIAM :—" Let the hon. Member hear me. Rule 40-A that was proposed was taken into consideration by the Select Committee. Certain changes were made and the Hon. Speaker suggested that certain provisions contained in rule 204 of the Lok Sabha Rules should also be included. In his speech Sri M. Narayana Kurup referred only to two changes relating to